

REMARKS/ARGUMENT

Claims 26-30, 35-39, 51 and 52 are allowed.

Claims 25, 32, 33 and 40 have been amended to overcome the objections due to informalities. According, the objection to Claims 25, 32, 33, 40-44 and 46-50 are overcome.

Claims 31, 53 and 54 have been amended better to define the claimed invention and overcome the 35 U.S.C. 112, first paragraph, rejections. Accordingly, the 35 U.S.C. 112, first paragraph, rejection of Claims 31, 53 and 54 is overcome.

Claims 43 & 44 have been amended better to define the claimed invention and overcome the 35 U.S.C. 112, second paragraph, rejection. Accordingly, the 35 U.S.C. 112, second paragraph, rejection of Claims 43 & 44 is overcome.

Claims 53 & 54 have been amended better to define the claimed invention and overcome the 35 U.S.C. 112, second paragraph, rejection. There is now a relationship between the determining and estimating steps of Claim 53 and the determining and low pass filter steps in Claim 54. Applicants traverse Examiner's determination that there must be a relationship between Claims 53 & 54 since both are independent stand alone claims. Accordingly, the 35 U.S.C. 112, second paragraph, rejection of Claims 53 & 54 is overcome.

Claims 1, 13, 25 and 54 have been amended to overcome the 35 U.S.C. 101 rejection. Each of the claims is now clearly tied to a statutory category. Accordingly, the 35 U.S.C. 101 rejection of Claims 1-6, 8-18, 20-25 and 54 is overcome.

1) Claim 25 is rejected under 35 U.S.C. 102(e) as being anticipated by Vadagama US 7,149,200. Applicant respectfully traverses this rejection, as set forth below.

In order that the rejection of Claim 25 be sustainable, it is fundamental that “each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, “The identical invention must be shown in as complete detail as is contained in the ... claim”.

Furthermore, “all words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).


Independent Claim 25, as amended, requires and positively recites, a method for a communication system, comprising: “determining in an apparatus a plurality of soft-decision regeneration factors associated with a plurality of users, each soft-decision regeneration factor from the plurality of soft-decision regeneration factors being uniquely associated with each user from the plurality of users” and “canceling interference, for a first user from the plurality of users, from a received signal **based on the plurality of soft-decision regeneration factors excluding the soft-decision regeneration factor associated with the first user**”.

In contrast, Vadagama discloses that it determines the spreading code SC, for application to the correlator 42 and respreader 44 in each of its n fingers from the received code information CI (col. 6, lines 2-5). But nowhere is there any teaching in Vadagama that its technique “excludes the soft-decision regeneration factor associated with the first user”. In the event Examiner maintains his determination, Applicants

respectfully request Examiner to identify this teaching by paragraph and line number. Having not provided such evidence, Vadgama fails to teach or suggest, "canceling interference, for a first user from the plurality of users, from a received signal **based on the plurality of soft-decision regeneration factors excluding the soft-decision regeneration factor associated with the first user**", as required by Claim 25. Accordingly, the 35 U.S.C. 102(e) rejection is improper and must be withdrawn.

Claims 26-30, 35-39, 51 and 52 are allowed. Objected to and rejected Claims 1-6, 8-18, 20-24, 31-33, 40-44, 46-50, 53 and 54 have been amended and similarly stand allowable. Claim 25 stands allowable over the cited art for the reasons set forth above. Applicants respectfully request withdrawal of the rejections and objections and allowance of the application at the earliest possible date.

Respectfully submitted,



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